

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Plaintiff,

Civ. No. 08-6437 (RHK/SRN)

ORDER

v.

Real Property and Premises Located at 216
Kenmore Avenue, Deerfield, Illinois, and 950
Bristol Drive, Deerfield, Illinois,

Defendants.

This matter is before the Court *sua sponte*.

This is an *in rem* forfeiture proceeding against two properties located in Deerfield, Illinois. Claimants in the properties, Russ and Abby Cole (“the Coles”), have filed a Motion to Dismiss the Amended Complaint insofar as it is alleged against the property located at 950 Bristol Drive. The Government has filed a Memorandum in Opposition to the Motion, but has also separately filed a Motion to Stay this action pending the completion of related criminal proceedings against the Coles, in which forfeiture of the Defendant properties also is sought. Both the Motion to Dismiss and the Motion to Stay are noticed for hearing before the Court on September 11, 2009.

Based on the foregoing, and all the files, records, and proceedings herein, **IT IS ORDERED** that the following briefing schedule shall apply with regard to the Motion to Dismiss and the Motion to Stay: (1) on or before September 1, 2009, the Coles shall serve and file their Reply Memorandum in support of the Motion to Dismiss, if any, and their

Memorandum in Opposition to the Motion to Stay; and (2) on or before September 8, 2009, the Government shall serve and file its Reply Memorandum in support of its Motion to Stay, if any.

Dated: August 27, 2009

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge